

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : **DATE FILED:** _____
v. : **CRIMINAL NO. :** _____
JOSEPH MULLINS : **VIOLATION:**
: **18 U.S.C. § 371 (conspiracy- 1 count)**
: **18 U.S.C. § 982 (a)(2)(B) (criminal**
: **forfeiture)**
: **Notice of additional factors**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. At all times material to this indictment, Discover, Visa, Master Card, and American Express were credit card companies operating in and affecting interstate commerce.
2. At all times material to this indictment, Strawbridge's, Macy's and JC Penney were retail businesses, operating in and affecting interstate commerce, that issued credit cards to customers.
3. From in or about 1996, through on or about the date of this indictment, in the Eastern District of Pennsylvania and elsewhere, defendant

JOSEPH MULLINS

conspired and agreed with others known and unknown to the grand jury to:

(1) use unauthorized access devices, with the intent to defraud, and by such conduct obtain

anything of value aggregating \$1,000 or more during a one year period, thereby affecting interstate commerce, in violation of Title 18, United States Code, Section 1029(a)(2); and (2) transport in interstate commerce goods, wares, merchandise, securities and money, of the value in excess of \$5,000, knowing the same to have been stolen, converted and taken by fraud, in violation of Title 18, United States Code, Section 2314.

MANNER AND MEANS

4. It was part of the conspiracy that defendant JOSEPH MULLINS and others known and unknown to the grand jury met in Philadelphia, Pennsylvania at various times and traveled to New Jersey to steal personal identification, checks and credit cards in order to fraudulently obtain goods, wares, merchandise and money valued over \$5,000.

It was further part of the conspiracy that defendant JOSEPH MULLENS and others known and unknown to the grand jury:

5. Surreptitiously entered parked and unoccupied vehicles at golf courses, swim clubs, fitness facilities, marinas and other public facilities because it was commonly known that individuals who utilized these facilities would leave their wallet, purse or pocketbook locked inside vehicles.

6. Surreptitiously entered the vehicles by using "slim jims," lock picks, master keys and altered keys and, once access was gained to the vehicles, removed credit cards, checks, driver's licenses, and social security cards from wallets, purses and pocketbooks found in the vehicles.

7. Purchased gasoline with the stolen credit cards to determine if the credit cards had been compromised and/or called the credit card company to ascertain the spending limit of

the credit card.

8. Traveled to casinos in Atlantic City, New Jersey and obtain cash advances with the stolen credit cards.

9. Used the stolen credit cards at home improvement stores, electronic stores, office supply stores, gasoline stations and other similar retail establishments located in New Jersey, Pennsylvania and Delaware to fraudulently purchase goods, wares, merchandise and services.

10. Forged securities, that is, checks, stolen from the victims, and cashed them at banks.

11. Stole the identity of the victims to rent automobiles and to fraudulently obtain credit accounts at various retail establishments.

12. Returned at various times to the Eastern District of Pennsylvania with stolen goods, merchandise, wares, money and property.

13. Defendant JOSEPH MULLINS and others known and unknown to the grand jury sold or "fenced" fraudulently obtained goods, merchandise, wares and property.

Overt Acts

On or about the dates set forth below, in order to achieve the objects of the conspiracy, defendants and other persons known and unknown to the grand jury committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. On or about July 5, 1999, defendant JOSEPH MULLINS and others known and unknown to the grand jury traveled from Philadelphia to the Claridge Hotel and Casino in Atlantic City, New Jersey and obtained a cash advance of approximately \$1,500 using a stolen credit card.
2. On or about December 27, 2000, at Philadelphia, defendant JOSEPH MULLINS discussed by telephone the availability of individuals to commit credit card fraud.
3. On or about April 28, 2001, defendant JOSEPH MULLINS and others known and unknown to the grand jury traveled from Philadelphia to Harrah's Hotel and Casino in Atlantic City, New Jersey and obtained a cash advance of approximately \$3,000 using a stolen credit card.

All in violation of Title 18, United States Code, Section 371.

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offense charged in Count One of this indictment,
defendant **JOSEPH MULLINS:**

a. Committed an offense in which the loss exceeded \$1,000,000, as
described in U.S.S.G. § 2B1.1(b)(1).

b. Committed an offense involving 10 or more victims, as described
in U.S.S.G. § 2B1.1(b)(2)(A).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney